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## More Power In Courts Here Asked By Chinese

Amendments To Present Judicial Code Proposed  
By Ministry Of Justice Include Reduction  
Of Power Of Settlement Police

In anticipation of difficulties to be born when the rendition agreements between China and foreign Powers in regard to conduct of courts in the International Settlement and French Concession expire on April 1, 1933, the Ministry of Justice at Nanking has evolved several amendments to the present code, it is reported, and has asked for detailed reports on the

procedure of the past three years from the four courts concerned.

These are the 2nd Kiangsu High Court, which has an agreement with the 1st Shanghai Special District Court, operating in the International Settlement, and the 3rd Kiangsu High Court, with which the 2nd Shanghai Special District Court, with Jurisdiction in the French Concession, has an understanding.

In view of reported weakness of the Judicial organizations as at present conducted, according to "Chen Pao," the Ministry will notify the various Powers concerned six months prior to the date of expiration of the agreements regarding amendments to be made on the new code.

These will be based upon present desires of the Ministry as well as reports which have been asked of the four courts. The following are reported to be the basic objections and amendments:

**Procurators Impeded**  
(1) The right to inspect and the legal right to charge by Procurators at present are impeded in every case. The right to arrest and to conduct inquiries are almost completely in the hands of the Settlement Police authorities. The

only authority enjoyed by the Procurators comes under Articles 163 to 186 of the Chinese Criminal Code. All matters coming under the other Articles are subject to the jurisdiction of the Settlement Police. When these agreements expire, negotiations will be opened for the authority of the judicial police to come under the control of the Courts, and this will place the Settlement Police in the position of assisting the Courts only. This is one of the crucial points to be negotiated.

(2) The Court Police are recommended by the Police authorities of the Shanghai Municipal Council and appointed by the High Court in accordance with stipulations contained in the last paragraph of Article six of the rendition agreement of the 1st Shanghai Special District Court. This Article as well as Article two of the same agreement, which is connected with the Yangchingpang Regulations, must be revised.

(3) In accordance with present Chinese law, no lawyers of any foreign nations are allowed to plead in a Chinese court. Due to the rendition agreements, foreign lawyers are permitted to attend court to represent clients in cases involving Chinese and foreigners. The Chinese Government will exert every effort to abolish this system.

(4) The Detention House of the 2nd Shanghai Special District Court and the gaol on Rue Masenet in the French Concession, already restored to China, must remain in her custody.

*Reg.  
Please make this the subject of  
a special file.*

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